

**COMPLETE LISTING OF ALL CLAIMS, WITH MARKINGS AND STATUS IDENTIFIERS**

(Currently amended claims showing deletions by ~~striketrough~~ and additions by underlining)

1-42 (canceled)

--43 (new): A polyester containing one or more free COOH groups and having a carboxyl to hydroxyl ratio greater than one, wherein said polyester contains a member selected from the group consisting of L-lactic acid, D-lactic acid, DL-lactic acid, malic acid, citric acid, tartaric acid,  $\epsilon$ -caprolactone, p-dioxanone,  $\epsilon$ -caproic acid, alkylene oxalate, cycloalkylene oxalate, alkylene succinate,  $\beta$ -hydroxybutyrate, substituted or unsubstituted trimethylene carbonate, 1,5-dioxepan-2-one, 1,4-dioxepan-2-one, glycolide, glycolic acid, L-lactide, D-lactide, DL-lactide, meso-lactide, and any optically active isomers, racemates or copolymers thereof, provided that tartaric acid,  $\epsilon$ -caprolactone and glycolide are members of the polyester.

44 (new): A polyester according to claim 43, wherein the polyester comprises tartaric acid,  $\epsilon$ -caprolactone and glycolide.

45 (new): A polyester according to claim 44, wherein the ratio of  $\epsilon$ -caprolactone to glycolide in the polyester is 90  $\epsilon$ -caprolactone to 10 glycolide to 99  $\epsilon$ -caprolactone to 1 glycolide.

46 (new): A polyester according to claim 45, wherein the ratio of  $\epsilon$ -caprolactone to glycolide in the polyester is 98  $\epsilon$ -caprolactone to 2 glycolide.

47 (new): A composition comprising a polyester according to claim 43 ionically conjugated to one or more bioactive polypeptide comprising at least one effective ionogenic amine, wherein at least 50%, by weight, of the polypeptide present in the composition is ionically conjugated to the polyester.

48 (new): A composition comprising a polyester according to claim 44 ionically conjugated to one or more bioactive polypeptide comprising at least one effective ionogenic amine,

wherein at least 50%, by weight, of the polypeptide present in the composition is ionically conjugated to the polyester.

49 (new): A composition comprising a polyester according to claim 45 ionically conjugated to one or more bioactive polypeptide comprising at least one effective ionogenic amine, wherein at least 50%, by weight, of the polypeptide present in the composition is ionically conjugated to the polyester.

50 (new): A composition comprising a polyester according to claim 46 ionically conjugated to one or more bioactive polypeptide comprising at least one effective ionogenic amine, wherein at least 50%, by weight, of the polypeptide present in the composition is ionically conjugated to the polyester.

51 (new): A composition according to claim 47, wherein the bioactive polypeptide is selected from the group consisting of LHRH, somatostatin, bombesin/GRP, calcitonin, bradykinin, galanin, MSH, GRF, amylin, tachykinins, secretin, PTH, CGRP, neuromedins, PTHrP, glucagon, neurotensin, ACTH, GHRP, GLP, VIP, PACAP, enkephalin, PYY, motilin, substance P, NPY, TSH, and analogs or fragments thereof.

52 (new): A composition according to claim 51, wherein the bioactive polypeptide is selected from the group consisting of LHRH, somatostatin and analogs or fragments thereof.

53 (new): A composition according to claim 52, wherein the LHRH analogue is of the formula  $p\text{Glu-His-Trp-Ser-Tyr-D-Trp-Leu-Arg-Pro-Gly-NH}_2$  and the somatostatin analogue is of the formula  $\text{H}_2\text{N-}\beta\text{-D-Nal-Cys-Tyr-Trp-Lys-Val-Cys-Thr-NH}_2$ , wherein the two Cys residues are bonded to each other.

54 (new): A composition according to claim 51, wherein said composition is in the form of a rod.

55 (new): A composition according to claim 54, wherein said rod has a coating of polyester.

56 (new): A composition according to claim 55, wherein the polyester coating the rod is an absorbable polyester.

57 (new): A composition according to claim 56, wherein the absorbable polyester contains one or more free COOH groups and having a carboxyl to hydroxyl ratio greater than one, wherein said polyester contains a member selected from the group consisting of L-lactic acid, D-lactic acid, DL-lactic acid, malic acid, citric acid, tartaric acid,  $\epsilon$ -caprolactone, p-dioxanone,  $\epsilon$ -caproic acid, alkylene oxalate, cycloalkylene oxalate, alkylene succinate,  $\beta$ -hydroxybutyrate, substituted or unsubstituted trimethylene carbonate, 1,5-dioxepan-2-one, 1,4-dioxepan-2-one, glycolide, glycolic acid, L-lactide, D-lactide, DL-lactide, meso-lactide, and any optically active isomers, racemates or copolymers thereof.

58 (new): A composition according to claim 57, wherein the absorbable polyester coating the rod is the same as the polyester comprised in the composition.--